



12-07-05

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Cheng Shen

Serial No.: 10/825,501

Filed: April 15, 2004

Title: ACID BEVERAGE COMPOSITION  
UTILIZING A PROTEIN AND A  
VEGETABLE OIL AND PROCESS  
FOR MAKING SAME

Group Art Unit: 1761

Examiner: To Be Assigned

Confirmation No.: 8553

Attorney Docket No.: SP-1285 US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which

applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

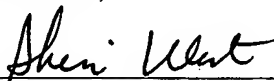
Respectfully submitted,

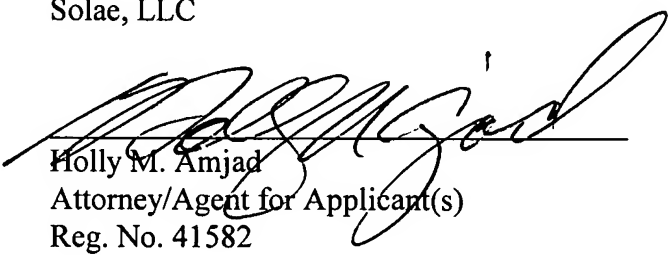
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By

  
Typed Name: Sheri West

  
Holly M. Amjad  
Attorney/Agent for Applicant(s)  
Reg. No. 41582

Date: December 6, 2005  
P.O. Box 88940  
St. Louis, MO 63188  
Telephone No.: 314-982-5822



Attorney's Docket No. SP-1285 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Cheng Shen  
Serial No. : 10/825,501  
Filed : April 15, 2004  
Art Unit : 1761  
Confirmation No. : 8553  
For : Acid Beverage Composition Utilizing A Protein And A Vegetable Oil  
And Process For Making Same

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label Number: EV 042959411 US

Date of Deposit: December 6, 2005

I hereby certify that the attached: **Information Disclosure Statement (2 pages), Information Disclosure Statement by Applicant (2 pages), Reference - Anonymous "California High Oleic Safflower Oil" as listed on the IDS (1 page)**, are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to:

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Dated: 12/6/05

  
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Sheri West



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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/825,501		
		Filing Date	April 15, 2004		
		First Named Inventor	Cheng Shen		
		Art Unit	1761		
		Examiner Name	To be assigned		
Sheet	2	of	2	Attorney Docket Number	SP-1285 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A	ANONYMOUS: "California High Oleic Safflower Oil" INTERNET ARTICLE, 'Online! 2002, XP002331017 Retrieved from the Internet: URL:http://www.oilseedssf.com/health/health.htm1> 'retrieved on 2005-06-08!	<input type="checkbox"/>
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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.